

Date

Jaime T. Monic, Executive Director  
Louisiana State Board of Examiners of Psychologist (LSBEP)  
4334 South Sherwood Forest Blvd.  
#C-150  
Baton Rouge, La. 70816

**Re: Board Docket No. 2020-781**

Dear Director Monic:

The Louisiana Board of Ethics, at its December 4, 2020 meeting, considered your request for an advisory opinion as to whether the post-employment provisions of the Code of Governmental Ethics would prohibit Dr. Lauren Rasmussen from being appointed by the Governor to LSBEP Board.

### **FACTS PROVIDED**

Dr. Rasmussen was appointed by the Governor to serve as a “pro tem” member of the LSBEP Board, specifically she was appointed to serve on a hearing panel on September 24, 2020. Dr. Rasmussen was paid a \$75 per Diem for her service that day. The question asked is whether her temporary appointment for one day would prohibit her from being eligible for permanent appointment as a board member of LSBEP. You provided that Dr. Rasmussen was never an employee of LSBEP nor did she have a contract with LSBEP. The LSBEP board members are not compensated they are only paid per-diem of \$75 per day. The members are appointed by the Governor and confirmed by the Senate. Dr. Rasmussen will not be succeeding herself, the Vice for this seat is Amy Henke.

### **LAW**

**La. R.S. 42:1121A(2)** provides that no former member of a board or commission shall, for a period of two years following the termination of his public service on such board or commission, contract with, be employed in any capacity by, or be appointed to any position by that board or commission.

### **CONCLUSION**

The Board concluded, and instructed me to inform you, that based on the facts presented, Section 1121A(2) of the Code of Governmental Ethics does not prohibit the Governor from appointing Dr. Rasmussen to serve as a member of the LSBEP even though she served as “pro-tem” member within the last two years. While Dr. Rasmussen would be prohibited from accepting an appointment from LSBEP, she is being appointed by the Governor and not the LSBEP.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts presented may result in a different application of the provisions of the Code of Ethics. The Board issues no opinion as to past conduct or laws other than Code of Governmental Ethics. If you have any questions, please contact me at (225) 219-5600 or (800) 842-6630.

Sincerely,

**LOUISIANA BOARD OF ETHICS**

Suzanne Quinlan Mooney  
For the Board

**DISCLAIMER**  
This is a draft opinion and it is **NOT** an opinion of the Louisiana Board of Ethics.  
No party may rely on the facts or conclusions. The analysis and conclusions herein are provided for discussion purposes only, and are subject to change or revision at the meeting of the Board of Ethics at which this matter is considered.